

## Environmental Protection Agency

## § 131.44

(5) Nothing in this paragraph (e) shall limit the Administrator's authority to modify the criteria in paragraph (c) of this section through rulemaking.

(f) *Effective date.* This section is effective on January 6, 2013, except for § 131.43(e), which is effective February 4, 2011.

[75 FR 75805, Dec. 6, 2010, as amended at 77 FR 39951, July 6, 2012]

### § 131.44 Florida.

(a) *Phosphorus Rule.* (1) The document entitled "Florida Administrative Code, Chapter 62-302, Surface Water Quality Standards, Section 62-302.540, Water Quality Standards for Phosphorus Within the Everglades Protection Area, Amended May 25, 2005, as annotated by EPA" (Phosphorus Rule), is incorporated by reference as described in paragraph (a)(2). EPA is not incorporating the full text of this document, but correcting specified portions of the Phosphorus Rule as directed by a federal district court as indicated by the strikeout markings. The EPA is only incorporating by reference these crossed-out portions in the Florida Administrative Code 62-302.540. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a). Copies of the document may be inspected and obtained from the docket associated with this rulemaking (Docket Number EPA-HQ-OW-2011-0515) at <http://www.regulations.gov> electronically, at EPA's Water Docket (Address: 1301 Constitution Avenue NW., EPA West, Room B102, Washington, DC 20460, telephone number: 202-566-2426), at the National Archives and Records Administration (NARA), and finally, on the EPA Web site associated with this rulemaking at [http://water.epa.gov/lawsregs/rulesregs/floridaeverglades\\_index.cfm](http://water.epa.gov/lawsregs/rulesregs/floridaeverglades_index.cfm).

For information on the availability of this material at NARA, call 202-741-6030, or go to the following Web site [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). EPA adopts and identifies the portions of the document that have strikeout markings as portions of the Phosphorus Rule that EPA disapproved on December 3, 2009, and that are not applicable water quality standards for the purposes of the Clean

Water Act. Remaining portions of the Phosphorus Rule that EPA had previously approved are applicable water quality standards for the purposes of the Clean Water Act but are not codified as federal regulations.

(2) In the Phosphorus Rule, strike the following text:

- (i) The entire paragraph (1)(a);
- (ii) The entire paragraph (1)(b)(2);
- (iii) The entire paragraph and subparagraphs (2)(b), (2)(c), (2)(d), (2)(e), (2)(e)(1), (2)(e)(2) and 2(f);
- (iv) The entire paragraph (2)(h);
- (v) The entire paragraph (2)(l);
- (vi) The entire paragraphs (3)(a) and (3)(b);
- (vii) The entire paragraph 3(f);
- (viii) The entire paragraph (3)(h);
- (ix) In (4)(d)(2)(c), the sentence, "If these limits are not met, no action shall be required, provided that the net improvement or hydropattern restoration provisions of subsection (6) below are met.";
- (x) The entire paragraph (5)(a);
- (xi) The entire paragraph (5)(b)(2) and (5)(b)(3);
- (xii) The entire paragraph (5)(d);
- (xiii) The entire paragraph (6), including subparagraphs (6)(a), (6)(a)(1), (6)(a)(1)(a), (6)(a)(1)(b), (6)(a)(2), (6)(a)(3), (6)(a)(4), (6)(a)(5), (6)(b), (6)(b)(1), (6)(b)(2), (6)(b)(3), and (6)(c).

(b) *Amended Everglades Forever Act.* (1) The document entitled "Florida Statute, Title 28, Natural Resources; Conservation, Reclamation, and Use, Section 373.4592, Everglades improvement and management, effective July 1, 2008, also known as the "Everglades Forever Act," as annotated by EPA" is incorporated by reference as described in paragraph (b)(2). The EPA is not incorporating the full text of this document, but correcting specified portions of the statute as directed by the court as indicated by the strike out markings. The EPA is only incorporating by reference these crossed-out portions in the Florida Statute, the "Everglades Forever Act." The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a). Copies of the document may be inspected and obtained from the docket associated with this rulemaking (Docket Number EPA-HQ-OW-2011-0515) at <http://www.regulations.gov>

electronically, at EPA's Water Docket (Address: 1301 Constitution Avenue NW., EPA West, Room B102, Washington, DC 20460, telephone number: 202-566-2426), at the National Archives and Records Administration (NARA), and finally, on the EPA Web site associated with this rulemaking at [http://water.epa.gov/lawsregs/rulesregs/floridaeverglades\\_index.cfm](http://water.epa.gov/lawsregs/rulesregs/floridaeverglades_index.cfm). For information on the availability of this material at NARA, call 202-741-6030, or go to the following Web site [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). EPA adopts and identifies the portions of the document that have strikeout markings as portions of the statute that EPA disapproved on December 3, 2009, and that are not applicable water quality standards for the purposes of the Clean Water Act. Remaining portions of the statute that EPA had previously approved are applicable water quality standards for the purposes of the Clean Water Act but are not codified as federal regulations.

(2) In the Everglades Forever Act, strike the following text:

- (i) The entire paragraph (2)(a);
- (ii) In paragraph (2)(g), the phrase, “and further described in the Long-Term Plan.”;
- (iii) The entire paragraph (2)(j);
- (iv) The entire paragraph (2)(l);
- (v) The entire paragraph (2)(p);
- (vi) The entire paragraphs (3)(b), (3)(c), (3)(d) and (3)(e);
- (vii) In sentence 9 of paragraph (4)(a), the phrase, “design, construction, and implementation of the initial phase of the Long-Term Plan, including operation and maintenance, and research for the projects and strategies in the initial phase of the Long-Term Plan, and including”;
- (viii) In sentence 1 of subparagraph (4)(a)(4), the phrase, “however, the district may modify this schedule to incorporate and accelerate enhancements to STA 3/4 as directed in the Long-Term Plan.”;
- (ix) The entire subparagraph (4)(a)(6);
- (x) In subparagraph (4)(e)(2), the entire sentences 7, 8 and 9;
- (xi) In subparagraph (4)(e)(3), the entire sentence 3;

(xii) In sentence 1 of paragraph (10), the phrase, “to implement the pre-2006 projects and strategies of the Long-Term Plan”, the phrase, “in all parts of the Everglades Protection Area”, and the phrase “and moderating provisions”;

(xiii) The entire paragraph (10)(a).

(3) EPA is not incorporating the text annotations added by hand to the Everglades Forever Act. These text inserts are included only for the convenience of the reader and to improve the readability of the document.

[77 FR 46303, Aug. 3, 2012]

## PART 132—WATER QUALITY GUIDANCE FOR THE GREAT LAKES SYSTEM

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### TABLES TO PART 132

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APPENDIX B TO PART 132—GREAT LAKES WATER QUALITY INITIATIVE

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APPENDIX F TO PART 132—GREAT LAKES WATER QUALITY INITIATIVE IMPLEMENTATION PROCEDURES

AUTHORITY: 33 U.S.C. 1251 *et seq.*

SOURCE: 60 FR 15387, Mar. 23, 1995, unless otherwise noted.

### § 132.1 Scope, purpose, and availability of documents.

(a) This part constitutes the Water Quality Guidance for the Great Lakes System (Guidance) required by section